FEDERAL REGISTER

VOLUME 20 NUMBER 210

Washington, Thursday, October 27, 1955

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 418—WHEAT CROP INSURANCE

PART 420—MULTIPLE CROP INSURANCE

ACTION TAKEN WITH RESPECT TO DURUM WHEAT

The Board of Directors of the Federal Crop Insurance Corporation, with the approval of the Secretary of Agriculture, by resolution adopted at its Board meeting of October 4, 1955:

(1) Declared, effective with the 1956 crop year, durum wheat other than red durum wheat non-insurable in all multiple crop insurance counties in North Dakota, South Dakota, and Minnesota except Pierce, Steele, and Grand Forks Counties, North Dakota, and in all wheat insurance counties with a December 31 cancellation date except counties in Montana and Benson, Bottineau, Cavalier, Eddy, Foster, Griggs, McHenry, Nelson, Ramsey, Rolette, Towner, Walsh, and Wells Counties, North Dakota,

(2) Provided that the acceptance of applications for insurance effective for the 1956 crop year be discontinued in the sixteen North Dakota counties designated above upon the Manager of the Corporation determining such action to be advisable because of the risk involved but not later than upon his determining that the applications accepted will bring the contracts in force for the 1956 crop year to the number which were in force for the 1954 crop year, and

(3) Directed the Manager of the Corporation to notify insureds affected, under the provisions of the applicable regulations, of the changes in their contracts made necessary by the adoption of the resolution.

(Secs. 506, 516, 52 Stat. 73, as amended; 77 U. S. C. 1506, 1516)

The resolution supersedes the action taken by the Board at its meetings of November 9, 1954 and December 7, 1954 (19 F. R. 8233) and is based on authority contained in the Federal Crop Insurance Act, as amended (7 U. S. C. 1501–1519).

[SEAL] C. S. LAIDLAW,
Secretary,
Federal Crop Insurance Corporation.

[F. R. Doc. 55-8687; Filed, Oct. 26, 1955; 8:51 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[959.313 Amdt. 1]

PART 959—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

LIMITATION OF SHIPMENTS

Findings. a. Pursuant to Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959; 20 F. R. 7068) regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon, except Malheur County, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established pursuant to said amended marketing agreement and amended order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

b. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (iv) reasonable time is permitted, under the circumstances, for such preparation, and (v) information

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

regarding the committee's recommendations has been made available to producers and handlers in the production area.

Order as amended. The provisions of § 959.313 (b) (1) (FEDERAL REGISTER October 11, 1955; 20 F R. 7567) are hereby amended to read as follows:

(b) *Order* (1) During the period from October 31, 1955, to June 30, 1956, both dates inclusive, no handler shall ship potatoes of any variety grown in any district unless the potatoes meet the requirements (i) of the U. S. No. 1 or better grade, 2 inches minimum diameter or 4 ounces minimum weight, or (ii) of the U. S. No. 2 or better grade, 6 ounces minimum weight: *Provided,* That potatoes which meet the aforesaid applicable grade and size requirements may be commingled in the handling thereof: *Provided further* That potatoes grown in District No. 3 which meet the requirements of the U. S. No. 2 or better grade up to, but not including, the U. S. No. 1 grade, may be shipped if such potatoes are of a size not smaller than 1⅞ inches minimum diameter.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: October 24, 1955.

[SEAL] S. R. SMITH,
Director
Fruit and Vegetable Division.

[F R. Doc. 55-8686; Filed, Oct. 26, 1955; 8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 13—DIGEST OF CEASE AND DESIST ORDERS

CEASE AND DESIST ORDERS VACATED

Cease and desist orders, heretofore published in the FEDERAL REGISTER during the period from January 1, 1948, to December 31, 1952, inclusive, have been vacated as follows:

(1) *Artra Cosmetics, Inc., et al.,* Docket 4930, May 26, 1948, 13 F R. 4277, 44 F T. C. 883 (§§ 3.170, 3.195), vacated November 8, 1949;

(2) *Modern Manner Clothes,* Docket 5263, December 19, 1950, 16 F R. 1991, 47 F T. C. 712 (§§ 3.75, 3.1955, 3.2165), vacated May 4, 1954;

(3) *Will-Weld Manufacturing Co. et al.,* Docket 5922, March 13, 1952, 17 F R. 5083, 48 F T. C. 965 (§§ 3.170, 3.195, 3.1890) vacated November 24, 1954,

(4) *Gamble-Skogmo, Inc., et al.,* Docket 5575, June 11, 1952, 17 F R. 8173, 48 F T. C. 1396 (§§ 3.350, 3.360, 3.560, 3.605, 3.670, 3.2260), vacated October 28, 1954; and

(5) *Philip Morris & Co., Ltd., Inc.,* Docket 4794, December 29, 1952, 18 F R. 1469, 49 F T. C. 703 (§§ 3.20, 3.170, 3.205) vacated May 19, 1954,

Issued: October 21, 1955.

By direction of the Commission.

ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 55-8691; Filed, Oct. 26, 1955; 8:49 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, Further Amended]

PART 404—FEDERAL OLD-AGE AND SURVIVORS INSURANCE (1950- ——)

BENEFITS IN CASE OF VETERANS

Regulations No. 4, as amended (20 CFR, Cum. Supp., 404.1 et seq.) are further amended to read as follows:

1. Paragraph (d) of § 404.206 is amended to read as follows:

§ 404.206 *Wages and self-employment income used in determining average monthly wage.* * * *

(d) All wages deemed paid to an individual by reason of his service in the active military or naval service of the United States after September 15, 1940, and prior to April 1, 1956, provided such wages are otherwise creditable under the provisions of Subpart N of this part.

2. Section 404.1351 is amended to read as follows:

§ 404.1351 *Effect of section 217 (e) of the act.* Any veteran who served in the active military or naval service of the United States on or after July 25, 1947, and prior to April 1, 1956, will be deemed to have been paid wages (in addition to the wages, if any, actually paid to him) of $160 for each month during any part of which he rendered such service. Such wages will be credited to the account of such veteran for the purposes of determining entitlement to and the amount of any monthly benefit or lump-sum death payment payable under section 202 of the act on the basis of the wages and self-employment income of such veteran. Such crediting is subject to the limitations of the succeeding sections of this part.

3. Section 404.1353 is amended to read as follows:

§ 404.1353 *Meaning of "Federal benefit."* For the purposes of § 404.1352 and §§ 404.1354 to 404.1356, inclusive, a "Federal benefit" means any benefit (other than a lump-sum payment which is not a commutation of or substitute for periodic payments) under the civil service, railroad retirement, military or other Federal program which provides for retirement on account of age, length of service, or disability, or for survivors insurance, where the amount of such benefit is based, in whole or in part, upon active military or naval service during the period beginning with July 25, 1947, and ending prior to April 1, 1956, and such benefit is determined by any agency or wholly owned instrumentality of the United States (other than the Veterans' Administration) to be payable by it under any other law of the United States or under a system established by such agency or instrumentality.

4. Section 404.1355 is amended to read as follows:

§ 404.1355 *Effect of notice of determination that a "Federal benefit" is payable.* If the Administration has been notified by a department, agency, or wholly owned instrumentality of the United States that a "Federal benefit" (see § 404.1353) has been determined by it to be payable (even though later terminated) to anyone (including dependents or survivors) on the basis of the active service during the period beginning with July 25, 1947, and ending prior to April 1, 1956, of a veteran, any benefits or a lump sum payable under title II with respect to the wages and self-employment income of such veteran shall be determined without regard to the provisions in § 404.1351 for the crediting of wages granted under such section. If, prior to the receipt of such notification, the Administration has made a determination and pursuant to such determination has certified a benefit for payment to the veteran, his dependents or survivors, or has certified for payment a lump-sum death payment, as provided by § 404.1354, the Administration, upon the receipt of such notification, shall certify no further benefits for payment or shall recompute the amount of any further benefits as may otherwise be payable under title II, and shall also determine the existence and amount of any erroneous payment (see § 404.1356)

5. Section 404.1359 is amended to read as follows:

§ 404.1359 *Definition of the term "veteran"*—(a) *Included individuals.* The term "veteran," as used in §§ 404.1351 to 404.1358, inclusive and §§ 404.1360 to 404.1362, inclusive, includes any individual who was in the active service of any of the armed forces of the United States, including the Army, Air Force, Navy, Marine Corps, and the Coast Guard or any of the components thereof on or after July 25, 1947, and prior to April 1, 1956, and including also any member of the commissioned corps of the United States Public Health Service in the active service of the Public Health Service on or after July 25, 1947, and prior to July 4, 1952, and who, if discharged or released from such active service, was so separated under conditions other than dishonorable (see § 404.1361) after service of at least 90 days or by reason of a disability or injury incurred or aggravated in service in line of duty.

(b) *Excluded individuals.* The term "veteran," as used in §§ 404.1351 to 404.1358, inclusive, and §§ 404.1360 to 404.1362, inclusive, does not include, among others, any individual who died in the active service if his death was inflicted as a punishment for a military or naval offense, other than by an enemy of the United States. Neither does it include a member of any of the units designated in the second sentence of § 404.1321 (b) insofar as such units were in existence during the period beginning with July 25, 1947, and ending prior to April 1, 1956.

6. Section 404.1360 is amended to read as follows:

§ 404.1360 *Active service of 90 days; defined.* Active service of 90 days means one or more periods totalling at least 90 days (whether or not consecutive) which are served in the period beginning with July 25, 1947, and ending prior to April 1, 1956. Where 90 days were not served wholly within such period, but such service began prior to July 25, 1947, and concluded on or after that date or began prior to April 1, 1956, and concluded on or after that date, the requirement of active service of 90 days is met only if such service of 90 days was continuous. Active service of 90 days is not necessary in the case of a veteran who was in the active service during the period referred to in the preceding sentence and who was separated therefrom by reason of a disability or injury incurred or aggravated in service in line of duty.

(Sec. 205, 49 Stat. 624, as amended; sec. 1102, 49 Stat. 647, as amended; 42 U. S. C. 405, 1302. Interpret or apply sec. 217, 65 Stat. 773, as amended; Pub. Law 325, 84th Cong.; 42 U. S. C. 417)

[SEAL] W. L. MITCHELL,
Acting Commissioner of Social Security.

Approved: October 17, 1955.

M. B. FOLSOM,
Secretary of Health, Education, and Welfare.

OCTOBER 21, 1955.

[F. R. Doc. 55-8223; Filed, Oct. 26, 1955; 8:50 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 14—CACAO PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS; AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 27—CANNED FRUITS; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

PART 29—FRUIT BUTTERS, FRUIT JELLIES, FRUIT PRESERVES, AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 53—TOMATO PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

AMENDMENT OF IDENTITY STANDARDS TO PERMIT GLUCOSE SIRUP AND GLUCOSE SIRUP SOLIDS (DRIED GLUCOSE SIRUP) AS OPTIONAL INGREDIENTS

In the matter of amending the definitions and standards of identity for sweet chocolate; milk chocolate; skim milk chocolate; buttermilk chocolate; mixed dairy product chocolates; sweet chocolate and vegetable fat (other than cacao fat) coating; sweet cocoa and vegetable fat (other than cacao fat) coating; pasteurized process cheese spread; pasteurized cheese spread; pasteurized process cheese spread with fruits, vegetables, or meats; pasteurized cheese spread with fruits, vegetables, or meats; pasteurized neufchatel cheese spread with other

foods; cold-pack cheese food; cold-pack cheese food with fruits, vegetables, or meats; canned peaches; canned peaches with rum; canned apricots; canned apricots with rum; canned pears; canned pears with rum; canned cherries; canned cherries with rum; canned fruit cocktail; fruit butter, fruit jelly, preserves; catsup:

On August 17, 1955, a notice of proposed rule making was published in the FEDERAL REGISTER (20 F. R. 5975) setting forth proposals to amend the definitions and standards of identity for the foods named above. The notice allowed 30 days for interested persons to submit in writing their views regarding these proposals. Upon consideration of the views presented and other relevant information, it is concluded that honesty and fair dealing in the interest of consumers will be promoted by ordering that the proposed amendments to the definitions and standards of identity for the above-named foods (21 CFR, Parts 14, 27, 53; 21 CFR, 1954 Supp., Parts 19, 29, 53) be made as hereinafter set forth.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046, 68 Stat. 54, 55 21 U. S. C. 341) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996) *It is ordered,* That the following amendments be made:

1. Section 14.6 *Sweet chocolate, sweet chocolate coating; identity; label statement of optional ingredients* is amended as follows:

a. Paragraph (b) is amended by changing subparagraphs (3) and (4) to read as follows:

(3) Any mixture of dried corn sirup or dried glucose sirup and sugar or partly refined cane sugar or both in which the weight of the solids of the dried corn sirup or dried glucose sirup used is not more than one-fourth of the total weight of the solids of all the saccharine ingredients used.

(4) Any mixture of dextrose and dried corn sirup or dried glucose sirup and sugar or partly refined cane sugar or both in which three times the weight of the solids of the dextrose used plus four times the weight of the solids of the dried corn sirup or of the solids of the dried glucose sirup used is not more than the total weight of the solids of all the saccharine ingredients used.

b. Paragraph (c) is amended by adding the following new subparagraph (3)

(3) The term "dried glucose sirup" means the product obtained by drying "glucose sirup." "Glucose sirup" is a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose.

Effect of amendment. This amendment of § 14.6, by reference, also amends §§ 14.7, 14.8, 14.9, 14.10, 14.11, and 14.12 so that for each of the foods standardized under those sections the optional saccharine ingredients are the same as are specified in the amended standard for sweet chocolate.

2. In § 19.775 *Pasteurized process cheese spread, identity; label statement of optional ingredients,* paragraph (f) is amended by changing subparagraph (3) to read as follows:

(3) A sweetening agent consisting of one or any mixture of two or more of the following: Sugar, dextrose, corn sugar, corn sirup, corn sirup solids, glucose sirup, glucose sirup solids, maltose, malt sirup, and hydrolyzed lactose, in a quantity necessary for seasoning.

Effect of amendment. This amendment of § 19.775, by reference also amends §§ 19.776, 19.780, and 19.781 so that for each of the foods standardized under those sections the optional sweetening agents are the same as are specified in the amended standard for pasteurized process cheese spread.

3. In § 19.783 *Pasteurized neufchatel cheese spread with other foods; identity; label statement of optional ingredients,* paragraph (b) is amended by changing subparagraph (4) to read as follows:

(4) A sweetening agent consisting of one or a mixture of two or more of the following: Sugar, dextrose, corn sirup, corn sirup solids, glucose sirup, glucose sirup solids, maltose, malt sirup, hydrolyzed lactose.

4. In § 19.787 *Cold-pack cheese food, identity; label statement of optional ingredients,* paragraph (e) is amended by changing subparagraph (6) to read as follows:

(6) A sweetening agent consisting of one or any mixture of two or more of the following: Sugar, dextrose, corn sugar, corn sirup, corn sirup solids, glucose sirup, glucose sirup solids, maltose, malt sirup, and hydrolyzed lactose, in a quantity necessary for seasoning.

Effect of amendment. This amendment of § 19.787, by reference, also amends § 19.788 so that for the food standardized under that section the optional sweetening agents are the same as are specified in the amended standard for cold-pack cheese food.

5. Section 27.0 *Canned peaches; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (c) the undesignated paragraph beginning "Each of packing media (3) to (10)" is changed to read as follows:

Each of packing media (3) to (10) inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which packing media (3) to (6) inclusive, are prepared, and peach juice is the liquid ingredient from which packing media (7) to (10) inclusive, are prepared. The saccharine ingredient from which packing media (3) to (10) inclusive, are prepared is one of the following: Sugar; any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; any combination of sugar and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar used; except that packing media (7) to (10), inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with peach juice and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

b. Paragraph (d) is amended by adding the following new subparagraph (4)

(4) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

Effect of amendment. This amendment of § 27.0, by reference, also amends § 27.3 so that for the food standardized under that section the saccharine ingredients are the same as are specified in the amended standard for canned peaches.

6. Section 27.10 *Canned apricots; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (c), the undesignated paragraph beginning "Each of packing media (3) to (10)" is changed to read as follows:

Each of packing media (3) to (10), inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which packing media (3) to (6), inclusive, are prepared, and apricot juice is the liquid ingredient from which packing media (7) to (10), inclusive, are prepared. The saccharine ingredient from which packing media (3) to (10), inclusive, are prepared is one of the following: Sugar; any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; any combination of sugar and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar used; except that packing

media (7) to (10) inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with apricot juice and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

b. Paragraph (d) is amended by adding the following new subparagraph (4)

(4) The term "glucose sirup" means a clarified concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

Effect of amendment. This amendment of § 27.10, by reference, also amends § 27.13 so that for the food standardized under that section the saccharine ingredients are the same as are specified in the amended standard for canned apricots.

7. Section 27.20 *Canned pears; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (c) the undesignated paragraph beginning "Each of packing media (3) to (10)" is changed to read as follows:

Each of packing media (3) to (10), inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which packing media (3) to (6) inclusive, are prepared, and pear juice is the liquid ingredient from which packing media (7) to (10) inclusive, are prepared. The saccharine ingredient from which packing media (3) to (10), inclusive, are prepared is one of the following: Sugar; any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; any combination of sugar and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar used; except that packing media (7) to (10) inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with pear juice and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

b. Paragraph (d) is amended by adding the following new subparagraph (4)

(4) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

Effect of amendment. This amendment of § 27.20, by reference, also amends § 27.23 so that for the food standardized under that section the saccharine ingredients are the same as are specified in the amended standard for canned pears.

8. Section 27.30 *Canned cherries; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (c), the undesignated paragraph beginning "Each of packing media (3) to (10)" is changed to read as follows:

Each of packing media (3) to (10), inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which packing media (3) to (6), inclusive, are prepared, and cherry juice is the liquid ingredient from which packing media (7) to (10), inclusive, are prepared. The saccharine ingredient from which packing media (3) to (10) inclusive, are prepared is one of the following: Sugar; any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; any combination of sugar and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar used; except that packing media (7) to (10), inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with cherry juice and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

b. Paragraph (d) is amended by adding the following new subparagraph (4)

(4) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

Effect of amendment. This amendment of § 27.30, by reference, also amends § 27.33 so that for the food standardized under that section the saccharine ingredients are the same as are specified in the amended standard for canned cherries.

9. Section 27.40 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (c) the third sentence, which begins "Except as provided," is changed to read as follows: "Except as provided in paragraph (d) (6) of this section, each of packing media (3) to (8) inclusive, is prepared with any one of the following saccharine ingredients: Sugar; any combination of sugar and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar used; any combination of sugar and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar used; or any combination of sugar, dextrose, and corn sirup or glucose sirup in which the weight of the solids of the dextrose used multiplied by two, added to the weight of the solids of the corn sirup or the glucose sirup used multiplied by three, is not more than the weight of the solids of the sugar used."

b. In paragraph (d), the sentence now constituting the context of subparagraph (5) is designated as (5) (i) and subdivision (ii) reading as follows, is added to subparagraph (5).

(ii) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

c. Paragraph (d) (6) is changed to read as follows:

(6) When the optional packing medium is prepared with fruit juice and invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup, it shall be considered to be light sirup, heavy sirup, or an extra heavy sirup, as the case may be, and not a light fruit juice sirup, heavy fruit juice sirup, or an extra heavy fruit juice sirup.

10. Section 29.1 *Fruit butter; identity; label statement of optional ingredients* is amended as follows:

a. Paragraph (d) (8) is amended to read:

(8) Any combination composed of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or any two or more of the foregoing, with optional saccharine ingredient (1) (2) (3), (4) (6), or (7), in which the weight of the solids of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or the

sum of the weights of the solids of corn sirup, dried corn sirup, glucose sirup, and dried glucose sirup, in case two or more of these are used, does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

b. The last sentence in paragraph (e) (5) beginning "The term 'glucose sirup' means," is deleted.

c. Subparagraph (6) in paragraph (e) is renumbered (7)

d. A new subparagraph (6) reading as follows, is added to paragraph (c)

(6) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

11. Section 29.2 *Fruit jelly; identity; label statement of optional ingredients,* is amended as follows:

a. Paragraph (d) (5) is amended to read:

(5) Any combination composed of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or any two or more of the foregoing, with optional saccharine ingredient (1), (2) (3) or (4), in which the weight of the solids of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or the sum of the weights of the solids of corn sirup, dried corn sirup, glucose sirup, and dried glucose sirup, in case two or more of these are used, does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

b. The last sentence in paragraph (e) (4), beginning "The term 'glucose sirup' means," is deleted.

c. Subparagraph (5) in paragraph (e) is renumbered (6)

d. A new subparagraph (5) is added to paragraph (e) to read as follows:

(5) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

12. Section 29.3 *Preserves, jams; identity; label statement of optional ingredients* is amended as follows:

a. Paragraph (d) (5) is amended to read:

(5) Any combination composed of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or any two or more of the foregoing, with optional saccharine ingredient (1) (2), (3) or (4) in which the weight of the solids of corn sirup, dried corn sirup, glucose sirup, dried glucose sirup, or the sum of the weights of the solids of corn sirup, dried corn sirup, glucose sirup, and dried glucose sirup, in case two or more of these are used, does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

b. The last sentence in paragraph (e) (4) beginning "The term 'glucose sirup' means," is deleted.

c. Subparagraph (5) in paragraph (e) is renumbered (6)

d. A new subparagraph (5) is added to paragraph (e) to read as follows:

(5) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

13. Section 53.10 *Catsup, ketchup, catchup; identity; label statement of optional ingredients* is amended as follows:

a. In paragraph (a) the sentence beginning "It is concentrated and seasoned" is changed to read as follows: "It is concentrated and seasoned with salt, a vinegar or vinegars, spices or flavorings or both, and onions or garlic or both and is sweetened with sugar or a mixture of sugar and dextrose or a mixture of sugar (or sugar and dextrose) with corn sirup or dried corn sirup or both or with glucose sirup or dried glucose sirup or both, in such quantity that the weight of the solids of the corn sirup or dried corn sirup or both, or glucose sirup or dried glucose sirup or both, is not more than one-third of the weight of the solids of such mixture."

b. Paragraph (b) is amended by redesignating the sentence which now constitutes paragraph (b) as subparagraph (1) of paragraph (b) and adding the following subparagraph (2) to paragraph (b)

(2) The term "glucose sirup" means a clarified, concentrated, aqueous solution of the products obtained by the incomplete hydrolysis of any edible starch. The solids of glucose sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. "Dried glucose sirup" means the product obtained by drying "glucose sirup."

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of publication of this order in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, shall specify with particularity the provisions of the order deemed objectionable and the grounds for the objections, and shall request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective on the sixtieth day after its publication in the FEDERAL REGISTER, except as to any of its provisions that may be stayed by the filing of objections thereto. Notice of the filing of objections, or lack thereof, will be announced by publicaton in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Dated: October 21, 1955.

[SEAL] GEO. P LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 55-8682; Filed, Oct. 26, 1955; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 577—MEDICAL AND DENTAL ATTENDANCE

ARMY HOSPITAL REGULATIONS; MISCELLANEOUS AMENDMENTS

In § 577.15, revise paragraphs (d) (2), (e) (5) (iii) (*a*), (e) (6), (e) (8) and (e) (9) (iii) to read as follows:

§ 577.15 *Persons eligible to receive medical care at Army medical treatment facilities.* * * *

(d) *General restrictions.* * * *

(2) *Availability of facilities.* Nonmilitary personnel, including dependents and retired personnel, should not undertake travel to an Army medical treatment facility without first ascertaining whether and when accommodations will be available. The furnishing of medical care to other than personnel listed in paragraph (e) (1) and (9) of this section will be on a "when adequate facilities are available" basis, except as indicated in subdivisions (i) and (ii) of this subparagraph. When personnel are furnished medical care on a "facilities available basis," all care and adjuncts to such care determined by the commanding officer of the medical treatment facility to be necessary will be provided from resources available to the commanding officer, unless specifically prohibited.

(i) Personnel listed in paragraph (e) (4) of this section will be furnished medical care when adequate facilities are available only in the absence of Air Force medical facilities.

(ii) Personnel listed in paragraph (e) (24) (ii) and (25) of this section will be furnished medical care when adequate facilities are available only in the absence of adequate civilian medical facilities as determined by the appropriate major commander.

* * * * *

(e) *Persons eligible.* * * *

(5) *Dependents of personnel on extended active duty.* * * *

(iii) *Restrictions.* (*a*) Dependents of prisoners whose sentence include a punitive type discharge, suspended or executed, as affirmed by a board of review and, in cases reviewed by it, the Court of Military Appeals; dependents of absentees who have been dropped from the rolls of their organizations as deserters; legally separated or divorced wives; and illegitimate children of members of the Armed Forces unless the children are

actually living with and dependent for more than half of their support upon a military parent are not eligible for medical care.

* * * * *

(6) *Dependents of retired personnel.* Dependents of retired personnel, except those retired under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (point system reservists) (62 Stat. 1084; 10 U. S. C. 1001–1007) and dependents of personnel retired or granted retirement pay for physical disability including those on the Emergency Officers' Retired List. Dependents of the above retired personnel are eligible to receive medical care irrespective of the election on the part of retired personnel to receive Veterans' Administration benefits or the necessity for the hospitalization of retired personnel at a Veterans' Administration facility.

* * * * *

(8) *Retired members of regular and reserve components.* Retired members of the regular and reserve components, except those retired under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948.

(9) *Members of regular and reserve components retired for physical disability.* * * *

(iii) *Temporary or permanent retirement (20 years or more of active duty)* Members of the regular and reserve components temporarily or permanently retired for physical disability or receiving disability retirement pay with 20 years or more of active duty, except those with blindness, neuropsychiatric or psychiatric disorders, and tuberculosis whose hospitalization is the responsibility of the Administrator of Veterans' Affairs (see the Career Compensation Act of 1949, as implemented by Executive Order 10400, 1952)

* * * * *

[C 1, AR 40–108, Oct. 7, 1955] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55–8664; Filed, Oct. 26, 1955; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1239]

[1684490]

IDAHO

PARTIALLY REVOKING EXECUTIVE ORDER NO. 7655 OF JULY 12, 1937, WHICH ESTABLISHED THE DEER FLAT MIGRATORY WATERFOWL REFUGE

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 7655 of July 12, 1937, establishing the Deer Flat Migratory Waterfowl Refuge, the name of which was changed to the Deer Flat National Wildlife Refuge by Proclamation No. 2416 of July 15, 1940, is hereby revoked so far as it affects the following-described lands:

BOISE MERIDIAN

T. 3 N., R. 3 W.,
Sec. 17, tract A.

The tract described contains 10.25 acres.

The lands are withdrawn for reclamation purposes by Departmental orders of December 22, 1903 and February 7, 1906.

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

OCTOBER 21, 1955.

[F. R. Doc. 55–8666; Filed, Oct. 26, 1955; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 924]

[Docket No. AO–225–A6]

MILK IN DETROIT, MICH., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Detroit, Michigan, on March 22–25, 1955, pursuant to notice thereof which was issued on March 8, 1955 (20 F. R. 1533)

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on September 2, 1955, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in the proceeding. The notice of filing such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on September 9, 1955 (20 F. R. 6622).

The material issues, the findings and conclusions, and the general findings of the recommended decision (20 F. R. 6622; F. R. Doc. 55–7280) are hereby approved and adopted as the material issues, the findings and conclusions, and the general findings of this decision as if set forth in full herein, subject to the following revisions:

1. On page 6623, insert after the second complete paragraph in column 2, the following: "From exceptions filed in response to the recommended decision it is clear that one of the plants located in the marketing area and operated as a distributing plant does not have Class I sales equal to as much as 45 percent of its receipts in March through August nor to 55 percent in September through February. A substantial period of time should be allowed for such a handler to develop additional Class I outlets or reduce his receipts to the extent necessary to maintain status as a pool plant. It is concluded that effectuation of that portion of the definition of a distributing pool plant which requires that the stated percentages of receipts be utilized as Class I should be postponed until September 1, 1956."

2. On page 6625, change the last sentence in the first complete paragraph in column 1 to read as follows: "On any other source milk received at a pool plant in the form of fluid whole milk or fluid skim milk the Class I price should be reduced by the amount of the location adjustment which would be applicable at the location of the plant from which the other source milk was obtained."

3. Change item (8) *Class II price,* beginning in column 2, page 6627, to read as follows:

(8) *Class II price.* In the recommended decision it was concluded that a butter-powder formula should be included as an alternative determinant of the Class II price. The present Class II price is the average of prices paid to farmers at nine Michigan manufacturing plants, except that during the months of May, June, and July, a credit is allowed on butterfat and skim milk manufactured into butter and nonfat dry milk solids in the event that butter-powder prices are below the local plant prices. The recommended decision would have provided that the Class II price be the higher of the local plant price or a butter-powder value in every month.

Nearly all the handlers who filed exceptions and some groups of producers operating manufacturing facilities objected to the recommended change in the Class II price provision. It is apparent that no substantial element in the market considers it desirable to use a butter-powder formula as an alternative price at this time. The local plant price is considered to be the most appropriate measure of the value of Class II milk.

It is concluded the butter-powder formula should not be adopted as an alternative means of setting the Class II price at this time. However, the butter-powder credit should be deleted. It has not been effective in 1953, 1954, or 1955, because butter-powder values have been in excess of the local plant price. In any event, the regulated handlers should pay at least the local plant price on milk utilized for Class II purposes in all months of the year and no incentive should be given to specialized manufacturers of butter and nonfat dry milk solids in May, June, and July.

4. On page 6628, change item (11) beginning in column 2, to read as follows:

(11) *Location adjustment on excess milk.* The present order provides that excess milk delivered to plants in the marketing area be valued at 17¢ over the Class II price. Excess milk delivered to plants located at some distance from the market is subject to the same rate of location adjustment as Class I and base milk.

Two cooperative associations proposed at the hearing that the excess price be equal to the Class II price at all locations. The choice between the two methods of valuing the excess milk is primarily one of the distribution of pool funds among the producers located at various distances from the market. There appeared to be no objection to the proposal at the hearing, and it was recommended for adoption. However, from exceptions received, it appears that the largest cooperative association of producers in the market is opposed to any change in the present application of location adjustments to excess milk. Apparently this conclusion was reached after further study of the record of the hearing and the recommended decision.

Since this issue is so predominately concerned with the interests of the producers themselves, it is concluded that no change should be made from the present provision of the order.

Rulings. Within the period reserved for filing exceptions to the recommended decision, exceptions were submitted on behalf of interested parties. These exceptions have been fully considered and to the extent to which the findings and conclusions of this decision are at variance with the exceptions, such exceptions are hereby overruled.

Determination of representative period. The month of August 1955 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of amendments to the order regulating the handling of milk in the Detroit, Michigan, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as hereby amended.

Marketing agreement and order Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in Detroit, Michigan, Marketing Area" and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Detroit, Michigan, Marketing Area" which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 25th day of October 1955.

[SEAL] EARL L. BUTZ,
Assistant Secretary of Agriculture.

§ 924.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (Part 900 of this chapter) a public hearing was held at Detroit, Michigan, on March 22–25, 1955, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Detroit, Michigan, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Detroit, Michigan, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as set forth below:

The provisions of §§ 924.1 to 924.132, inclusive, of the recommended marketing agreement and order contained in the recommended decision issued by the Deputy Administrator, Agricultural Marketing Service, on September 2, 1955, and published in the FEDERAL REGISTER September 9, 1955 (20 F R. 6622; F R. Doc. 55–7280) shall be and are the terms and provisions of this order as if set forth in full herein, except for the following modifications described with respect to the said FEDERAL REGISTER document:

1. In § 924.16 (a), column 3, page 6629, change the proviso to read as follows: "*Provided,* That, after August 31, 1956, the total quantity distributed during any of the months of March through August on all routes operated inside or outside the marketing area is equal to 45 percent or more, or during the months of September through February is 55 percent or more, of the receipts from producers, or from other plants, of milk approved by the appropriate health authority for fluid use; or"

2. In § 924.16 (b), column 3, page 6629, change the proviso to read as follows: "*Provided,* That any supply plant which has shipped to a distributing plant(s) the required percentage of its dairy farm supply during each of the months of November 1955 through January 1956 and, in subsequent years, during each of the months of October through January, shall be a pool plant for each of the following months of February through September during which it ships the percentage provided for in any call which may be issued by the market administrator pursuant to § 924.17."

3. Revise § 924.52, column 1, page 6632, to read as follows:

§ 924.52 *Class II milk price.* The minimum price per hundredweight to be paid by each handler, f. o. b. his plant, for milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month which is classified as Class II utilization, shall be the price per hundredweight as described in § 924.50 (c)

4. Revise § 924.60 (b), column 2, page 6632, to read as follows:

(b) Each handler operating a pool plant at which other source milk is allocated to Class I pursuant to §§ 924.46 and 924.47 shall pay to the producer equalization fund each month an amount computed by multiplying the hundredweight of milk so allocated by the difference between the Class I and the Class II prices for the month adjusted by (1) a location adjustment, to apply on any other source milk shipped as fluid whole milk or fluid skim milk, at the same rate as specified in paragraph (c) of this section for the location at which the other source milk originates, and (2) the butterfat differentials provided in § 924.53 to the butterfat test of such other source milk.

5. In § 924.60 (c), column 2, page 6632, change the phrase "§ 924.16 (b) or (c)", where it appears in lines 2 and 3 and line 12, to read "§ 924.16 (b)"

6. Change § 924.63, column 3, page 6632, to read as follows:

§ 924.63 *Excess milk price.* For each month the excess milk price shall be determined by adding 17 cents to the Class II price determined pursuant to § 924.52.

7. In § 924.65, column 1, page 6633, change the phrase "Class I products" to read "Class I milk"

[F. R. Doc. 55-8725; Filed, Oct. 26, 1955; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 240, 249]

SUSPENSION OF TRADING; REMOVAL FROM LISTING AND REGISTRATION

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to amend § 240.12d2-1 (Rule X-12D2-1) and § 240.12d2-2 (Rule X-12D2-2) which provide for the suspension of trading in securities listed and registered on a national securities exchange, and for their removal from listing and registration, under specified conditions. The proposal also involves a revision of Form 25 (17 CFR 249.225) The proposed action would be taken under the Securities Exchange Act of 1934, particularly sections 12 (d) and 23 (a) thereof.

Section 12 (d) of the Securities Exchange Act of 1934 provides that a security registered with a national securities exchange may be withdrawn or stricken from listing and registration in accordance with the rules of the exchange and, upon such terms as the Commission may deem necessary to impose for the protection of investors, upon application by the issuer or the exchange to the Commission. Paragraph (a) of § 240.12d2-1 provides that a security listed and registered on a national securities exchange may be suspended from trading by the exchange in accordance with its rules and requires notification thereof to the Commission. Paragraph (b) of the rule provides that an application may be filed by an issuer or exchange to withdraw or strike a security from listing and registration, and sets out the information to be contained in such application and the procedures to be followed in certain cases to offer the application in evidence at any hearing on the application as proof of the allegations therein. Paragraphs (c) and (d) of §§ 240.12d2-1 and 240.12d2-2 provide for the withdrawal or striking of a security from listing and registration under certain special circumstances.

Under the proposed amendments § 240.12d2-1 would contain only the provisions with respect to the conditions under which a national securities exchange could suspend trading in a security listed and registered thereon. No substantive change has been made in these provisions. The regulatory provisions with respect to the conditions under which a security may be withdrawn or stricken from listing and registration would be contained in § 240.12d2-2.

As proposed to be amended § 240.12d2-2 would provide under paragraph (a) thereof, that a national securities exchange shall file with the Commission an application on revised Form 25 to strike from listing and registration matured, redeemed or retired securities. Paragraph (b) of the rule would provide that an exchange may file an application on Form 25 to strike a security from listing and registration when (1) the security is effectively listed and registered on some other national securities exchange, (2) the amount outstanding has been reduced to less than $200,000 principal amount of bonds or 5000 shares in the case of stock, or (3) the total outstanding number of shares of a security is held by less than 250 holders of record. The rule would provide that where Form 25 may be and is used the delisting and deregistration would become effective at the opening of business on the date specified by the exchange in its application in accordance with the rule, unless the Commission directs the exchange to follow the procedures specified in paragraph (c) of the rule.

Paragraph (c) of § 240.12d2-2 would provide for the filing of an application by an issuer or by a national securities exchange in cases not provided for in paragraphs (a) or (b) of the rule, would set out the information required to be contained in such an application and would also set out certain procedures to be followed in connection therewith. The provisions concerning the conditions under which the application may be received in evidence at any hearing as proof of the allegations therein would be deleted because such procedures are now contained in paragraph (i) of Rule V of the Commission's Rules of Practice. Paragraph (d) of § 240.12d2-2 would contain the provisions now in § 240.12d2-1 (c)

Form 25 has been revised so that it is now a form of application instead of a form of notification and it has been expanded to provide for submission of the facts with respect to the new conditions under which it may be used.

The text of § 240.12d2-1 and 240.12d2-2 as proposed to be amended is as follows:

§ 240.12d2-1 *Suspension of trading.* (a) A national securities exchange may suspend from trading a security listed and registered thereon in accordance with its rules. Such exchange shall promptly notify the Commission of any such suspension, the effective date thereof, and the reasons therefor.

(b) Any such suspension may be continued until such time as it shall appear to the Commission that such suspension is designed to evade the provisions of section 12 (d) and the rules and regulations thereunder relating to the withdrawal and striking of a security from listing and registration. During the continuance of such suspension the exchange shall notify the Commission promptly of any change in the reasons for the suspension. Upon the restoration to trading of any security suspended under this section, the exchange shall notify the Commission promptly of the effective date thereof.

(c) Suspension of trading shall not terminate the registration of any security.

§ 240.12d2-2 *Removal from listing and registration.* (a) A national securities exchange shall file with the Commission an application on Form 25[1] (§ 249.225 of this chapter) to strike a security from listing and registration thereon within a reasonable time after the exchange is reliably informed that any of the following conditions exist with respect to such a security:

(1) The entire class of the security has been called for redemption, maturity or retirement; appropriate notice thereof has been given; funds sufficient for the payment of all such securities have been deposited with an agency authorized to make such payments; and such funds have been made available to security holders.

(2) The entire class of the security has been redeemed or paid at maturity or retirement.

(3) The instruments representing the securities comprising the entire class have come to evidence, by operation of law or otherwise, other securities in substitution therefor and represent no other right, except, if such be the fact, the right to receive an immediate cash payment (the right of dissenters to receive the appraised or fair value of their holdings shall not prevent the application of this provision).

(4) All rights pertaining to the entire class of the security have been extinguished: *Provided,* That where such an event occurs as the result of an order of a court or other governmental authority, the order shall be final, all applicable appeal periods shall have expired, and no appeals shall be pending.

(b) A national securities exchange may file with the Commission an application on Form 25 to strike a security from listing and registration thereon in accordance with its rules and practices provided it is reliably informed that any of the following conditions exist with respect to such a security:

(1) The security is effectively listed and registered on some other national securities exchange.

(2) The amount of the security outstanding, after deducting holdings of parents, if any, is reduced to less than $200,000 principal amount of bonds or to less than 5,000 shares of stock.

(3) The total outstanding number of shares of the security is held by less than 250 holders of record.

Effective date of removal. If the conditions of paragraph (a) or (b) of this section are complied with, the striking of a security from listing and registration pursuant to an application on Form 25 shall become effective at the opening of business on such date as the exchange shall specify in said form, unless the Commission directs the exchange to proceed under paragraph (c) of this section: *Provided, however,* That such date shall be not less than seven days following the date on which said form is mailed to the Commission for filing: *And provided further* That in the event removal is being effected

[1] Filed as part of original document.

under paragraph (a) (3) of this section and the exchange has admitted or intends to admit a successor security to trading under the temporary exemption provided for by § 240.12a-5 (Rule X-12A-5), such date shall not be earlier than the date on which the successor security is removed from its exempt status.

(c) An application by an issuer, or by a national securities exchange in cases not provided for under paragraphs (a) and (b) of this section, shall comply with the following requirements:

(1) The application shall be filed in duplicate, the original of which shall be dated and signed by an authorized official of the exchange or the issuer.

(2) If the applicant is the exchange it shall forward promptly a copy of the application to the issuer and if the applicant is the issuer it shall forward promptly a copy of the application to the exchange.

(3) The application shall set forth a description of the security involved together with a statement of all material facts relating to the reasons for filing such application for withdrawal or striking from listing and registration.

(4) The application shall set forth the steps taken by the applicant to comply with the rules of the exchange governing the delisting of securities.

(d) If within 30 days after the publication of any rule or regulation which substantially alters or adds to the obligations, or detracts from the rights, of an issuer of a security registered pursuant to application under section 12 (b) or (c) or of its officers, directors, or security holders, or of persons soliciting or giving any proxy or consent or authorization with respect to such security, the issuer shall file with the Commission a request that such registration shall expire and shall accompany such request with a written explanation of the reasons why the publication of such rule or regulation leads the issuer to make such request, such registration shall expire immediately upon receipt of such request or immediately before such rule or regulation becomes effective, whichever date is later. The absence of an express reservation, in an application for registration, of the rights herein granted shall not be deemed a waiver thereof.

All interested persons are invited to submit views and comments on the proposal in writing to the Securities and Exchange Commission, Washington 25, D. C., on or before November 15, 1955. Unless the person submitting such comments or suggestions requests in writing that they be held confidential they will be available for public inspection.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

OCTOBER 18, 1955.

[F. R. Doc. 55-8680; Filed, Oct. 26, 1955; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

SMALL TRACT CLASSIFICATION ORDER NO. 41

OCTOBER 19, 1955.

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954, (19 F R. 2473) I hereby classify the following described public lands totalling 300 acres in Chaves County, New Mexico, as suitable for lease and sale for residence purposes only under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended:

NEW MEXICO PRINCIPAL MERIDIAN

T. 10 S., R. 23 E.,
Sec. 33: S½NE¼NE¼, SE¼NE¼, N½S½, SW¼SW¼,
Sec. 34: NW¼SW¼.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands are located approximately 5 miles west of Roswell, New Mexico. U. S. Highway No. 70 runs east and west along the south boundary of the sections. A county road extends from Highway No. 70 north through the center of Section 33. The land is situated on the crest and slope of a long hill known as Six Mile Hill. There is little to no topsoil on the hilltop and side slopes.. The soil in the drainage ways is deeper with a silt loam topsoil. The area is well drained due to the steep topography. Vegetation consists chiefly of grama and tobosa grass and mesquite brush. Altitude of the area is approximately 3,700 feet. The climate is generally mild, having temperature extremes of about 15 degrees to 110 degrees. City water is not available for these lands. Domestic water is obtained by drilling wells to a depth of 100 to 300 feet. Sewage facilities are not available, nor is natural gas. Butane and propane gas can be obtained at Roswell. Electricity is the only public utility that is presently available. The city of Roswell presents a readily available shopping center and adequate religious, educational and medical facilities.

4. The lands will be leased in tracts of approximately 5 acres each. The appraised value is $200 per tract. The lands will be subject to all existing rights-of-way and to a right-of-way 40 feet in width for a proposed county farm to market road along each side of the section line common to Sections 33 and 34. Other rights-of-way for street and road purposes and for public utilities will be reserved as shown below.

33 feet on each side of the North-South center line of the S½NE¼NE¼, SE¼NE¼, NE¼SE¼, S½NW¼SW¼, SW¼SW¼ of Section 33 and the NW¼SW¼, Section 34.

33 feet along each side of the East-West center line of the NE¼SE¼, NW¼SE¼, NE¼SW¼, NW¼SW¼, SW¼SW¼ of Section 33 and the NW¼SW¼, Section 34.

33 feet along the South line of the NE¼SE¼, NW¼SE¼ of Section 33 and the NW¼SW¼ of Section 34.

5. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 43 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the appraised price providing that during the period of their leases, they either (a) construct the improvements specified in paragraph 6, or (b) file a copy of an agreement in accordance with 43 CFR 257.13 (a) Leases will not be renewable unless failure to construct the required improvements is justified under the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. To maintain their rights under their leases, lessees will be required either (a) to construct substantial improvements on their lands or (b) file a copy of an agreement with their neighbors binding them to construct substantial improvements on their lands. Such improvements must conform with health, sanitation, and construction requirements of local ordnances and must, in addition, meet the following standards: The home must be suitable for year-round use, on a permanent foundation with a minimum of 700 square feet, divided into at least three rooms. The homes must be built in a workmanlike manner out of attractive materials properly finished. The house shall contain running water, modern plumbing and shall have adequate sewage and sanitary facilities.

7. Applicants must file, in duplicate, with the Manager, Land Office, P O. Box 1251, Santa Fe, New Mexico, application Form 4-776 filled out in compliance with the instructions on the form and accompanied by any showings or documents required by those instructoins. Copies of the application form can be secured from the above-named official.

The applications must be accompanied by a filing fee of $10 plus the advance rental of $30 for the 3 year period. Failure to transmit these payments with the application will render the application invalid. Advance rentals will be returned to unsuccessful applicants. All filing fees will be retained by the United States.

8. The lands are now subject to application under the Small Tract Act. All valid applications filed prior to December 18, 1953, will be granted the

preference right provided by 43 CFR 257.5 (a) All valid applications from persons entitled to veterans' preference filed after December 18, 1953, and prior to 10:00 a. m., November 24, 1955, will be considered as simultaneously filed at that time. All valid applications from persons entitled to veterans' preference filed after that time will be considered in the order of filing. All valid applications from other persons filed after December 18, 1953, and prior to 10:00 a. m., February 23, 1956, will be considered as simultaneously filed at that time. All other valid applications filed after that time will be considered in the order of filing.

9. Inquiries concerning these lands shall be addressed to Manager, Land Office, Bureau of Land Management, P. O. Box 1251, Santa Fe, New Mexico.

E. R. SMITH,
State Supervisor

[F. R. Doc. 55-8667; Filed, Oct. 26, 1955; 8:45 a. m.]

WASHINGTON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 20, 1955.

U. S. Forest Service, Dept. of Agriculture, Pacific Northwest Region, Portland, Oregon, has filed an application, Serial No. W-02169, for the withdrawal of the lands described below, from all forms of appropriation, including the mining laws of the United States. The applicant desires the land for developing a public winter sports area adjacent to a Federal Highway.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Room 209, Federal Building, Spokane, Washington.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

WASHINGTON—WILLAMETTE MERIDIAN

GIFFORD PINCHOT AND SNOQUALMIE NATIONAL FORESTS

White Pass Recreation Area:
T. 13 N., R. 11 E. W. M. (unsurveyed),
Sec. 1, S½,
Sec. 2, S½,
Sec. 11, N½, N½S½,
Sec. 12, N½, N½S½.

The total area aggregates approximately 1,600 acres.

J. M. HONEYWELL,
State Supervisor.

[F. R. Doc. 55-8668; Filed, Oct. 26, 1955; 8:46 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 20, 1955.

An application, serial number Colorado 011863, for the withdrawal from location and entry, under the General Mining Laws, subject to existing valid claims, of the lands described below, was filed August 1, 1955, by the Department of Agriculture, U. S. Forest Service.

The applicant desires the land for use as an administrative site.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Room 357 New Custom House, Postoffice Box 1018, Denver, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

RIO GRANDE NATIONAL FOREST

Seepage Creek Administrative Site:
T. 40 N., R. 2 W.,
Sec. 1: S½NW¼, SW¼SW¼NE¼, NW¼SE¼, SE¼SE¼, N½SW¼SE¼, W½SW¼SW¼SE¼, NE¼SW¼SW¼SE¼, N½SE¼SW¼SE¼, SE¼SE¼SW¼SE¼, SW¼.
Sec. 12: N½NW¼, NW¼SW¼NW¼, W½NE¼SW¼NW¼.

Total area, 460 acres.

MAX CAPLAN,
State Supervisor.

[F. R. Doc. 55-8669; Filed, Oct. 26, 1955; 8:46 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Territorial Department of Lands has filed an application, Serial No. Anchorage 029960, for the withdrawal of the lands described below, from all forms of appropriation including the mining laws.

The applicant desires the land for public service sites for public recreational and camp ground needs.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

AREA No. 1

Beginning at approximate latitude 62°17' 50" N. longitude 146°38'20" W. which is at the outlet of Little Lake Louise and embracing a strip of land 2 chains (132 feet) deep on either side of an unnamed stream and small unnamed lake midway of that stream, extending from the shores of Little Lake Louise northeasterly by meander of said stream approximately 176 chains (11,616 feet) to the shores of a bay of Lake Louise, containing approximately 70 acres.

AREA No. 2

Beginning at approximate latitude 62°21'40" N. longitude 146°32'40" W. which is at the mouth of an unnamed stream on the northeastern shores of Lake Louise and embracing a strip of land 2 chains (132 feet) deep on either side of said stream, extending from the shores of Lake Louise northwesterly and then northeasterly by meander of said stream approximately 128 chains (8,448 feet) to the shores of an unnamed lake, containing approximately 51 acres.

AREA No. 3

Beginning at approximate latitude 62°24'27" N. longitude 146°36'15" W. which is at the east end of a small bay on the eastern shores of Susitna Lake and the mouth of an unnamed stream and embracing a strip of land 2 chains (132 feet) deep on either side of said stream, extending from the shores of Susitna Lake easterly by meander of said stream approximately 16 chains (1,056 feet) to the shores of an unnamed lake, containing approximately 6.4 acres.

AREA No. 4

Beginning at approximate latitude 62°26'25" N. longitude 146°39'30" W. which is a point on the western shore of a peninsula extending southward into Susitna Lake; thence by meander of the mean high water mark of Susitna Lake southerly around the southern tip of the peninsula and then northerly approximately 393 chains (26,334 feet) to a point on the eastern side of the peninsula directly east of the point of beginning; thence west approximately 10 chains (660 feet) to the point of beginning, containing approximately 259 acres.

ROGER R. ROBINSON,
Acting Area Administrator.

[F. R. Doc. 55-8670; Filed, Oct. 26, 1955; 8:46 a. m.]

[No. 17 (A-2)]

UTAH

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 19, 1955.

An application, Serial No. Utah 012576, for the withdrawal from location, sale, and entry, under the General Mining Laws of the lands described below, subject to existing valid claims, was filed May 27, 1954, by the United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative sites and recreation areas within the Manti-LaSal National Forest.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor for

Utah, Bureau of Land Management, Post Office Box No. 777, Salt Lake City 10, Utah. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

MANTI-LASAL NATIONAL FOREST

White Mountain Administrative Site:
T. 20 S., R. 4 E.,
Sec. 34: E½NE¼.
80 acres.
Warner Administrative Site:
T. 26 S., R. 24 E.,
Sec. 28: NW¼NE¼, W½NE¼NE¼.
60 acres.
Kigalia Administrative Site:
T. 36 S., R. 19 E.,
Sec. 9: NE¼ (unsurveyed).
160 acres.
Flat Canyon Recreation Area:
T. 13 S., R. 6 E.,
Sec. 33: E½SW¼.
80 acres.
Forks of Huntington Canyon Recreation Area:
T. 15 S., R. 7 E.,
Sec. 20: S½NW¼SE¼, N½SW¼SE¼.
40 acres.
Huntington Canyon Recreation Area:
T. 15 S., R. 7 E.,
Sec. 5: S½SW¼SE¼,
Sec. 8: NW¼NE¼.
60 acres.
Castle Rock Recreation Area:
T. 15 S., R. 7 E.,
Sec. 17: W½SE¼NE¼, W½E½SE¼NE¼, E½SW¼NE¼.
50 acres.
Lake Hill Recreation Area:
T. 17 S., R. 4 E.,
Sec. 20: NE¼NW¼, N½SE¼NW¼.
60 acres.
Ferron Reservoir Recreation Area:
T. 19 S., R. 4 E.,
Sec. 22: E½SE¼, SW¼SE¼, SE¼SW¼.
160 acres.
Manti Community Recreation Area:
T. 18 S., R. 3 E.,
Sec. 13: NW¼NW¼,
Sec. 14: NE¼NE¼.
80 acres.

A total of 830 acres is involved.

WM. N. ANDERSEN,
State Supervisor

[F. R. Doc. 55-8671; Filed, Oct. 26, 1955; 8:46 a. m.]

[No. 18 (A-2)]

UTAH

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 19, 1955.

An application, Serial No. Utah 016431, for the withdrawal from location, sale, and entry, under the General Mining Laws of the lands described below, subject to existing valid claims, was filed August 30, 1955, by the United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative sites, recreation areas, or for other public purposes as set forth specifically with regard to each area or description, within the Wasatch National Forest.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor for Utah, Bureau of Land Management, Post Office Box No. 777, Salt Lake City 10, Utah. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

WASATCH NATIONAL FOREST

Hoop Lake Recreation Area:
T. 2 N., R. 16 E.,
Unsurveyed Sec. 9: NE¼NE¼, S½NE¼, N½SE¼,
Unsurveyed Sec. 10: NW¼, N½SW¼.
440 acres.
Henrys Fork Bridge Recreation Area:
T. 2 N., R. 14 E.,
Unsurveyed Sec. 1. SW¼NW¼, NW¼SW¼,
Unsurveyed Sec. 2: SE¼NE¼, NE¼SE¼.
160 acres.
Upper Henrys Fork Recreation Area:
T. 2 N., R. 14 E.,
Unsurveyed Sec. 14: SW¼NW¼, NW¼SW¼,
Unsurveyed Sec. 15: SE¼NE¼, NE¼SE¼.
160 acres.
China Meadows Recreations Area:
T. 2 N., R. 14 E.,
Unsurveyed Sec. 6: SW¼,
Unsurveyed Sec. 7: NW¼.
320 acres.
Marsh Lake Recreation Area:
T. 3 N., R. 14 E.,
Sec. 30: S½SE¼,
Sec. 31. N½NE¼.
160 acres.
Beaver Recreation Area:
T. 2 S., R. 7 E.,
H. E. S. No. 100 located in:
Sec. 28: NE¼ and
Sec. 27: NW¼, W½NE¼.
116.61 acres.
Bridger Lake Recreation Area:
T. 3 N., R. 14 E.,
Sec. 29: S½NW¼, N½SW¼.
160 acres.
White Squaw Recreation Area:
T. 3 S., R. 3 E.,
Unsurveyed Sec. 9: Unpatented portions of E½NE¼,
Unsurveyed Sec. 10: Unpatented portions of W½NW¼.
14 acres.
Albion Basin Recreation Area:
T. 3 S., R. 3 E.,
Unsurveyed Sec. 4: Unpatented portions of S½NW¼, S½N½NW¼, SW¼, W½SE¼SE¼, W½SE¼,
Unsurveyed Sec. 9: Unpatented portions of NW¼, W½NE¼, W½E½NE¼, N½SW¼, NW¼NW¼SE¼,
Unsurveyed Sec. 8: Unpatented portions of E½SE¼.
527 acres.
Bald Mountain Recreation Area:
T. 3 S., R. 3 E.,
Unsurveyed Sec. 8: Unpatented portions of SE¼NW¼, SW¼NE¼, NE¼SW¼, NW¼SE¼.
53 acres.
Peruvian Recreation Area:
T. 3 S., R. 3 E.,
Unsurveyed Sec. 7: Unpatented portions of NE¼, E½NW¼, SE¼,
Unsurveyed Sec. 8: Unpatented portions of NW¼NW¼.
163 acres.
Bridger Lake Administrative Site:
T. 3 N., R. 14 E.,
Sec. 29: SW¼SW¼, W½SE¼SW¼,
Sec. 32: W½NW¼.
140 acres.
Hole-in-the-Rock Administrative Site:
T. 3 N., R. 16 E.,
Sec. 31. N½NE¼.
80 acres.
Mt. Olympus Powder Magazine Administrative Site:
T. 2 S., R. 1 E.,
Sec. 11. SE¼NE¼, NE¼SE¼.
80 acres.
Kamas-Evanston (Utah No. 150) Highway Roadside Zone:
A strip of land 300 feet on each side of the center line of Kamas-Evanston (Utah No. 150) Highway through the following legal subdivisions:
Salt Lake Principal Meridan:
T. 1 N., R. 9 E.,
Sec. 24: NE¼SE¼, NE¼SW¼NE¼, E½NE¼,
Sec. 25: W½SW¼, E½NW¼, NE¼SW¼,
Sec. 36: W½SW¼, N½NW¼NW¼.
T. 1 N., R. 10 E.,
Sec. 5: W½SW¼, SW¼NW¼, Lots 3, 4;
Sec. 7: SE¼SE¼NE¼, SE¼,
Sec. 18: Lot 2, E½NW¼, NW¼NE¼.
Approximately 490 acres.
Uinta Special Meridian:
T. 3 N., R. 9 W.,
Sec. 3: Lot 3.
T. 4 N., R. 9 W.,
Sec. 23: Lot 5;
Sec. 26: NW¼SW¼, N½SE¼, S½NW¼, NE¼,
Sec. 27: SE¼SW¼, Lot 4, NE¼SE¼,
Sec. 34: E½SW¼, E½NW¼, NE¼.
Approximately 440 acres.

WM. N. ANDERSEN,
State Supervisor

[F. R. Doc. 55-8672; Filed, Oct. 26, 1955; 8:47 a. m.]

[No. 19 (A-2)]

UTAH

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

OCTOBER 19, 1955.

An application, Serial No. Utah 016603, for the withdrawal from location, sale, and entry, under the General Mining Laws of the lands described below, subject to existing valid claims, was filed September 12, 1955, by the United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative site within the Manti-LaSal National Forest.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor for Utah, Bureau of Land Management, Post Office Box No. 777, Salt Lake City 10, Utah. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

MANTI-LASAL NATIONAL FOREST

Joe's Valley Administrative Site:
T. 17 S., R. 6 E.,
Sec. 31. Lots 5, 6, 11 and 12.
112.12 acres.

WM. N. ANDERSEN,
State Supervisor

[F. R. Doc. 55-8673; Filed, Oct. 26, 1955; 8:47 a. m.]

Bureau of Reclamation

[Public Announcement 2]

GILA PROJECT, ARIZONA; WELLTON-MOHAWK DIVISION

PUBLIC ANNOUNCEMENT OF SALE OF FARM UNITS

SEPTEMBER 13, 1955.

Gila Project, Arizona, Wellton-Mohawk Division; public announcement of the sale of farm units.

LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units on the Wellton-Mohawk Division of the Gila Project, as shown on approved farm unit plats on file in the office of the Projects Manager, Yuma Projects Office, Bureau of Reclamation, Yuma, Arizona, and in the Land and Survey Office of the Bureau of Land Management at Phoenix, Arizona, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications for purchase of farm units may be submitted beginning at 2:00 p. m., October 25, 1955.

The farm units hereby offered for sale by the United States are all in Yuma County, Arizona, and are described in Addendum No. 1 to this announcement as attached hereto.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Secretary of the Interior, may reasonably be required for the support of a family upon such land. The areas in the different units are fixed at the amounts shown upon the farm unit plats referred to in section 1 of this announcement.

PREFERENCE RIGHTS OF VETERANS

SEC. 3. *Nature of preference.* Except for a prior preference given applicants for exchange of farm units under the provisions of the Act of August 13, 1953 (67 Stat. 566) a preference right to purchase the farm units described above will be given to certain veterans (and in some cases to their wives, husbands, or guardians of minor children) whose applications are received in the office of the projects manager, Yuma Projects Office, Bureau of Reclamation, Yuma, Arizona, before 2:00 p. m., January 25, 1956. The six classes of persons who will be eligible for this veterans preference are as follows:

(a) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least 90 days at any time on or after September 16, 1940, and the official termination of the Korean conflict, and who have been honorably discharged.

(b) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or, subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the Government on account of such wounds or disability.

(c) The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7 (c) of this announcement regarding provision that a married woman must be head of a family.)

(d) The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(e) The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(f) Persons who have served in the United States Army, Navy, Marine Corps or Coast Guard during the War with Germany which commenced April 6, 1917, and terminated March 3, 1921, or during the War with Spain or the Suppression of the Insurrection in the Philippines, which war and insurrection commenced April 21, 1898, and terminated July 15, 1903, and were honorably separated or discharged therefrom or placed in the regular Army or Naval Reserve.

In order to be eligible to purchase farm units, all applicants, except qualified exchange applicants, whether or not entitled to veterans preference, must possess the necessary qualifications as to character and industry, farm experience, health and capital (see Section 6 of this announcement)

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

(a) Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

(b) Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

SEC. 5. *Examining board.* An examining board of four members, including the Chief, Operations Division, of the Yuma Projects Office, Bureau of Reclamation, who will act as secretary of the board, has been approved by the Commissioner of Reclamation to determine the qualifications and fitness of applicants to undertake the purchase, development and operation of a farm on the Wellton-Mohawk Division, Gila Project. The board will make careful investigations to verify the statements made by applicants. Any false statement may constitute grounds for rejection of an application and cancellation of the applicant's right to purchase a farm unit.

SEC. 6. *Minimum qualifications.* This section sets forth the minimum qualifications which are necessary to give reasonable assurance of success of a contract purchaser of a farm unit. Applicant must be qualified to purchase a farm unit under the Act of July 30, 1947 (61 Stat. 628), which prohibits the sale by the United States to an individual of more than one farm unit. Applicants, unless qualified exchange applicants, must, in the judgment of the examining board, meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No credit will be given for qualifications in excess of the required minimum.

The minimum qualifications are as follows:

(a) *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

(b) *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years' (24 months) full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board, will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such a nature as, in the judgment of the examining board, will qualify the applicants to undertake the development and operation of an irrigated farm by modern methods.

(c) *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

(d) *Capital.* An applicant must possess assets worth at least $5,000 in excess of liabilities. Assets must consist of cash, property or assets readily convertible into cash, or assets such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car for more than $500. An applicant may be required to furnish a certified financial statement showing all of his assets and all of his liabilities. (See Section 11 of this announcement.) Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a land sale contract.

SEC. 7. *Other qualifications required.* Except for qualified exchange applicants all applicants (except guardians) must meet the following requirements:

(a) Must be a citizen of the United States or have declared an intention to become a citizen of the United States.

(b) Must not own more than 160 acres of land in the United States at the time of his execution of a land sale contract.

(c) Must, if a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

(d) Must not hold or own, within any Federal Reclamation project, irrigable land for which construction charges payable to the United States have not been fully paid, except that this restriction does not apply to small tracts used exclusively for residential purposes.

An applicant who owns lands in a Federal Reclamation project must furnish satisfactory evidence prior to execution of the land sale contract that the total construction charges allocated against the land owned by the applicant have been paid in full.

WHERE AND HOW TO SUBMIT AN APPLICATION FOR A FARM UNIT

SEC. 8. *Application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank (Form 7-511a) and file it with the Projects Manager, Yuma Projects Office, Bureau of Reclamation, Yuma, Arizona, in person or by mail. Additional application blanks may be obtained from the Bureau of Reclamation, Yuma, Arizona; the Regional Director, Bureau of Reclamation, Boulder City, Nevada, or the Commissioner of Reclamation, Department of the Interior, Washington 25, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including evidence of qualification to be submitted following the public drawing, will become a part of the records of the Department of the Interior and cannot be returned to the applicant. For this reason, original discharge or citizenship papers should not be submitted.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. *Priority of applications.* All applications, including those filed by qualified exchange applicants must be received prior to 2:00 p. m., January 25, 1956. All applications, except those received from exchange applicants, which shall be given a prior preference, will be classified for priority purposes and considered in the following order:

(a) *First Priority Group.* All complete applications filed prior to 2:00 p. m., January 25, 1956, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

(b) *Second Priority Group.* All complete applications filed prior to 2:00 p. m., January 25, 1956, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

(c) *Third Group.* All complete applications filed after 2:00 p. m., January 25, 1956. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. *Public drawing.* After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9 (a) of this announcement. Applicants need not be present at the drawing in order to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units offered for sale) shall be drawn and numbered in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify only those applicants whose names are drawn of their respective standings.

SEC. 11. *Submission of evidence of qualification.* After the drawing a sufficient number of applicants, in the order of their priority as established in the drawing, will be supplied with forms on which to submit evidence of qualification showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form, together with any attachments required, must be received in the office of the Projects Manager, Yuma Projects Office, Bureau of Reclamation, Yuma, Arizona, within 30 days of the date the form is mailed to the last known address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the period specified will subject his application to rejection.

SEC. 12. *Examination and interview.* After the information requested as outlined in section 11 of this announcement has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications, together with the evidence of qualification submitted, to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants. If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit and (c) affording the applicant an opportunity to examine the farm units. If the applicant fails to appear before the board for a personal interview when requested he shall thereby forfeit his priority as established by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such

applicant shall be notified, in person or by certified mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units then available for purchase. An applicant will be required prior to the execution of a land sale contract to submit evidence satisfactory to the board that he does not own more than 160 acres of land in the United States.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by certified mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 3, Bureau of Reclamation. All appeals must be received in the office of the Projects Manager, Yuma Projects Office, within 15 days of the applicant's receipt of such notice, or in any event, within 30 days from the date the notice is mailed to the last address furnished by the applicant. The Projects Manager will forward the appeals promptly to the Regional Director. The Regional Director's decision on all appeals shall be final.

SELECTION OF FARM UNITS

SEC. 13. *Order of selection.* The applicants who have been notified of their qualification to purchase a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders his right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawings have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm unit offered by this announcement remains unsold for a period of two years following the date of this announcement, the unit, unless withdrawn from the announcement, will be offered to the first applicant who files an application after the expiration of the two-year period and who meets the qualifications prescribed by this announcement, without regard to veterans preference.

SEC. 14. *Failure to select.* If any applicant, except a qualified exchange applicant, refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

SEC. 15. *Execution of land sale contract.* When an available farm unit is selected by an applicant as provided in Section 13 of this announcement the Projects Manager promptly will give the applicant a written notice confirming the availability to him of the unit selected and will furnish him with the land sale contract form, together with instructions concerning its execution and return and the time allowed therefor. In that notice the Projects Manager also will inform the applicant of the amount of the minimum down payment for the farm unit and of any further action required in connection with the conversion of assets pursuant to subsection 6 (d) the payment pursuant to subsection 7 (d) of construction charges on lands owned on any Reclamation project and the submission pursuant to section 12 of evidence that he does not own more than 160 acres of land in the United States.

If in the case of any applicant the land sale contract is not executed, acknowledged and returned to the Projects Manager in conformity with the above-mentioned instructions, accompanied by payment of the above-mentioned amounts, and completion of any other action specified in the instructions the application will be subject to rejection.

SEC. 16. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain among others, the following principal provisions:

(a) *Down payment.* An initial or down payment of $1.00 per acre or 10 percent of the purchase price, whichever is greater, will be required upon execution of the land sale contract. Larger proportions, or the entire amount of the purchase price, may be paid initially at the purchaser's option.

(b) *Schedule for payment of balance and interest rate.* If only a portion of the purchase price is paid initially, the balance will be payable within a period of 8 years following the date of the land sale contract. No payments on the balance of the principal will be required during the first three years. The balance of the principal will be payable in five equal installments, which shall be payable at yearly intervals on the anniversary date of the land sale contract beginning three (3) years after the date thereof. Payment of any or all installments or any portion thereof may be made before the due date at the purchaser's option. No interest shall be charged on any charges due from the purchaser except that on all such charges or any part thereof which remain unpaid by the purchaser to the United States after the same become due, an interest charge of ½ of 1 percent of the amount unpaid shall be added thereto and thereafter an additional interest charge of ½ of 1 percent of the principal sum unpaid shall be added on the first day of each succeeding calendar month until the amount due, including such interest, is paid in full.

(c) *Cultivation requirements.* In order that the irrigable area of the farm unit shall be developed with reasonable dispatch each purchaser will be required, as a minimum, to clear, level, irrigate and grow remunerative crops on at least ½ of the irrigable area of the farm unit for at least two years (24 consecutive months) prior to eight years from the date of execution of the contract or before receiving title to the unit, whichever is earlier. The crop production requirements of this section must be performed by the purchaser personally, by members of his immediate family residing with him, or by persons employed under his direction, supervision and management.

(d) *Residence and improvement requirements.* A major objective of the settlement program of the Gila Project is to assist and encourage permanent settlement of farm families. In keeping with this objective each purchaser will be required to reside on the land for a period of at least seven months during each of the three 12-month periods immediately following the establishment of residence, except that military and naval service of honorably discharged veterans with at least 90 days' service may be substituted month for month of the seven-month residence required during the third 12-month period and such service in excess of twelve months may be substituted month for month for the seven months of residence required during the second 12-month period. Such residence must be established by the purchaser by personally moving onto the farm unit within six months from the date of the land sale contract or within six months from the date the water is first made available to the irrigation block in which the farm unit is located, whichever is later. The time for compliance with the establishment of residence may be extended by the Projects Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it

will not be detrimental to the orderly development of the irrigation block, but the initial date for establishment of residence shall not in any event be extended for more than one year beyond the initial period first above provided. The purchaser shall erect a habitable dwelling upon the farm unit before receiving title to the unit.

(e) *Waiver clause.* In extraordinary situations, any or all of the requirements set out in (c) and (d) above may be waived by the Regional Director on his determination, after recommendation by the Projects Manager, that such waiver would be in the interest of the orderly development of the irrigation block.

(f) *Land holding limitations.* The farm units are sold pursuant to the provisions of this announcement and the provisions of the Act of Congress approved June 17, 1902 (32 Stat. 388) and Acts amendatory thereof or supplementary thereto, particularly the Act of December 21, 1928 (45 Stat. 1057) as amended, and the Act of July 30, 1947 (61 Stat. 628) and of the contract dated March 4, 1952, between the United States and Wellton-Mohawk Irrigation and Drainage District entitled: "Contract with Wellton-Mohawk Irrigation and Drainage District for construction of works and for delivery of water," as supplemented June 19, 1954, and as amended October 13, 1954, and December 16, 1954, and the purchaser must agree to comply with all the terms, conditions and limitations thereof and of Articles 24, 25, 26 of said contract, which provide, among other things, for the execution of recordable "excess-land" contracts.

(g) *Copies of the contract form.* The terms listed above and other contract provisions are contained in the "Land Sale Contract" form, copies of which may be examined in the offices of the Projects Manager, Yuma Projects Office, Bureau of Reclamation, Yuma, Arizona, or the offices of the Regional Director, Bureau of Reclamation, Boulder City, Nevada.

IRRIGATION, GENERAL REPAYMENT OBLIGATION AND OTHER CHARGES

SEC. 17. *Temporary water rental charges.* While some construction activity is continuing and the irrigation system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it on terms which will be announced by the Regional Director.

SEC. 18. *Charges for water delivery during development period.* Pursuant to the provisions of the repayment contract on March 4, 1952, as supplemented June 19, 1954, and as amended October 13, 1954, and December 16, 1954, hereinafter referred to as the contract of March 4, 1952, between the United States and the Wellton-Mohawk Irrigation and Drainage District, the Secretary of the Interior has announced development periods of ten years starting October 28, 1953, for lands in Irrigation Block No. 1, and November 3, 1954, for lands in Irrigation Block No. 2, and will announce similar 10-year development periods for lands in each irrigation block yet to be established in the Wellton-Mohawk Division, during which time payment of general repayment obligation charges will not be required. Charges for delivery of water during the development period for each irrigation block will be established in accordance with the aforementioned contract of March 4, 1952.

In addition to temporary water rental charges and charges for delivery of water during development period, the farm unit will be subject to District taxes and assessments as provided in Section 20. From time to time following the beginning of the development period for each irrigation block the District upon making appropriate arrangements with the Secretary may undertake the care, operation and maintenance of the distribution system and other works except those specified as reserved works by the contract of March 4, 1952. After assumption of responsibility for operation and maintenance of works by the District, the District will make such charges as may be required to meet costs of the care, operation and maintenance of works transferred to it. These charges will be payable in addition to charges which will be made for the care, operation and maintenance of works retained by the United States and utilized in delivery of water to works under the care of the District.

SEC. 19. *Payments after development period.* The District shall, when necessary, levy and collect appropriate taxes, assessments and or other charges sufficient to enable it to pay to the United States operation and maintenance charges and general repayment obligation charges as provided in the contract of March 4, 1952.

The general repayment obligation of the District subject to certain qualifications will not exceed $42,000,000. Said obligation will be allocated among several irrigation blocks aggregating approximately 75,000 irrigable acres. Each irrigation block will be required to pay its allocated share during the 60-year period immediately following the end of its development period. District levies covering these charges will be graduated according to the productivity group, in which the land is situated in accordance with the mechanics therefor provided in the repayment contract. At the option of the Board of Directors of the District, payment of these charges will be computed in accordance with a variable formula providing for payment of lesser amounts during periods of low agricultural prices and greater payments during periods of high agricultural prices.

SEC. 20. *Taxes and assessments.* On the first Monday of the January next succeeding the date of each land sale contract the lands covered by such contract shall, within the limitations set out in Article 22 of the above-mentioned District contract dated March 4, 1952, become subject to the provisions of the laws of the State of Arizona relating to the organization, government and regulation of irrigation, electrical, power and other similar districts and subject to legal assessment or taxation by any such district and by said State or political subdivisions thereof, and to liens for such assessments and taxes and to all proceedings for the enforcement thereof, in the same manner and to the same extent as privately owned lands, and shall remain subject thereto during the time such land sale contract shall remain in effect. After title to said lands has passed to the purchaser, he will be subject to the same obligations as the owner of private lands situated within the District.

GENERAL PROVISIONS

SEC. 21. *Warning against unlawful settlement.* No person shall be permitted to gain or exercise any right under any settlement or occupation of any of the lands covered by this announcement, except under the terms and conditions prescribed herein.

SEC. 22. *Reservation of rights-of-way for public roads.* Rights-of-way along section lines and other lines shown in red on the farm unit plats described in Section 1 of this announcement are reserved for county, State and Federal highways and access roads to the farm units shown on said farm unit plats.

SEC. 23. *Reservations and exceptions.* The sales of the farm units will be subject to existing rights-of-way, in favor of the public or third parties and to any existing oil and gas leases. In each such sale, there will be reserved to the United States and its successors and assigns in the operation and maintenance of the Wellton-Mohawk Division rights-of-way for canals, laterals, ditches, levees, dikes, roadways, pipelines, electric transmission lines, and telephone and telegraph lines. There may also be reserved to the United States any mineral, oil, and gas rights if required.

SEC. 24. *Flood hazard.* The lands to be sold lie in the flood plain of the Gila River and may be subject to flooding from runoff after heavy rains. A flood control dam has been authorized for construction by the Corps of Engineers, U. S. Army, above the project area but money has been appropriated only for advance planning. Purchasers are warned that in case of runoff resulting in the flooding of any of the lands the Government assumes no responsibility for damage to persons or property caused by such flooding.

NOTE: The reporting requirement of this announcement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

FRED G. AANDAHL,
Assistant Secretary of the Interior

[Public Announcement 2, Addendum 1]

GILA PROJECT, ARIZONA, WELLTON-MOHAWK DIVISION

The farm units hereinafter listed are offered for sale under Section 1 of Public Announcement No. 2, of September 13, 1955:

GILA AND SALT RIVER MERIDIAN, ARIZONA

FU No.	Sec.	Farm unit	Description	Total acres	Irrigable acres	Price
			Township 7 South, Range 15 West			
1	20	A	Lots 5, 8, 10, 12, Sec. 19 S½NW¼, Sec. 20	170.2	119.4	$393.63
2	28	A	S½SE¼, Sec. 28; NW¼NW¼, NW¼NE¼, Sec. 33	161.1	127.8	453.73
			Township 7 South, Range 16 West			
3	35	A	SE¼	162.9	103.2	363.63
4	-----	B	E½SW¼, E½W½SW¼, S½SE¼NW¼, E½SW¼NW¼	161.9	115.4	411.18
			Township 8 South, Range 15 West			
5	6	A	Lots 1, 8, 10, 12, 14, Sec. 6; Lot 4, Sec. 5	163.5	103.0	750.83
			Township 8 South, Range 16 West			
6	1	B	Lots 4, 5, 7, 8, 10, 11, Sec. 1; S½SW¼, Sec. 5, T. 8 S., R. 15 W; NE¼NE¼, Sec. 7, T. 8 S., R. 15 W	293.0	123.7	439.69
			Township 8 South, Range 18 West			
[1] 7	20	D	SE¼	163.8	125.6	445.63
[1] 8	21	A	Lots 2, 3, W½NE¼, Sec. 21; Lots 6, 7, E½SW¼SW¼, Sec. 22	177.9	131.9	467.63

[1] Designates the farm units located in Irrigation Block No. 1, which was established Oct. 23, 1953. All other farm units located in Irrigation Block No. 2, which was established Nov. 3, 1954.

[F. R. Doc. 55-8674; Filed, Oct. 26, 1955; 8:47 a. m.]

KESWICK RESERVOIR, CENTRAL VALLEY PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

SEPTEMBER 25, 1954.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954, I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388)

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 5 W.,
Sec. 3, Lots 3 to 13, incl., excepting therefrom those portions thereof lying within the boundaries of M. S. 4513;
Sec. 6, Lots 6, 7, 11, 12, and 18;
Sec. 7, Lots 5, 6, 16 to 22, incl., SW¼NE¼, Sec. 17, Lots 16, 17, 19, and 22;
Sec. 18, Lots 1 to 11, incl., NW¼NE¼, NE¼NW¼.
T. 33 N., R. 5 W.,
Sec. 18, Lots 1 to 7, incl., SW¼NE¼, SE¼NW¼, E½SW¼, SE¼, excepting therefrom those portions thereof lying within the boundaries of M. S. 5231 and M. S. 5442;
Sec. 19, Lot 1, SE¼NW¼, NW¼SE¼, excepting therefrom those portions thereof lying within the boundaries of M. S. 4599;
Sec. 31, Lots 1, 2, 3, 4, 5, 7, 9, NE¼, SE¼NW¼, N½SE¼, excepting therefrom those portions thereof lying within the boundaries of M. S. 5832, M. S. 5942, and M. S. 6207.
Sec. 33, All, excepting therefrom that portion thereof lying within the boundaries of M. E. Lots 38, 39, 48, 49, 50, 51, 52, 53, 56, 57, and M. S. 5803.
T. 32 N., R. 6 W.,
Sec. 12, S½NW¼, SW¼, W½SE¼, excepting therefrom those portions thereof lying within the boundaries of M. S. 3027, M. S. 4681, and of the Janice Lode of M. S. 6228;
Sec. 13, Lot 1.
T. 33 N., R. 6, W.,
Sec. 24, All excepting therefrom that portion thereof lying within the boundaries of M. S. 3937, M. S. 5231, M. S. 5441, M. S. 5595, and M. S. 5597;
Sec. 25, NE¼, E½NW¼, NW¼NW¼, E½SW¼, SE¼, excepting therefrom those portions thereof lying within the boundaries of M. S. 3937, M. S. 5595, and M. S. 5597.

The above areas contain approximately 3,427.15 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

[63739]

OCTOBER 21, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

EDWARD WOOZLEY,
Bureau of Land Management.

Notice for Filing Objections to Order Withdrawing Public Lands for the Central Valley Project, California

SEPTEMBER 25, 1952.

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of California, for use in connection with the Keswick Reservoir, Central Valley Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

G. W LINEWEAVER,
Assistant Commissioner

[F. R. Doc. 55-8675; Filed, Oct. 26, 1955; 8:48 a. m.]

Office of the Secretary

ACQUIRED LANDS REGULATIONS

NOTICE OF HEARING

Notice is hereby given that a hearing will be held at 2:00 p. m. on November 10, 1955, in Room 5116 of the Department of the Interior, Washington 25, D. C., for the purpose of considering objections which have been offered to the acreage limitation in the regulations approved August 11, 1955, 43 CFR 200.34c (Circular 1919) and also whether the limitation should be applied to applications pending on that date.

Persons desiring to be heard should notify the Secretary of the Interior, Washington 25, D. C., prior to the time and date of the hearing. Comments and objections received by mail prior to the hearing will also be considered.

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

OCTOBER 21, 1955.

[F. R. Doc. 55-8676; Filed, Oct. 26, 1955; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1964]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING ON PETITION TO AMEND PRIOR ORDER

Texas Eastern Transmission Corporation (Texas Eastern) on October 14, 1955, filed a petition requesting the Commission to amend its order issued October 9, 1953, in the above-entitled proceeding. By such petition Texas Eastern seeks to be relieved of the obligation to reduce its rates insofar as such obligation relates to the proceedings of United Gas Pipe Line Company (United) in Docket No. G-2019, in accordance with Finding (2) (ii) and paragraph (A) of the order issued October 9, 1953.

By its petition Texas Eastern requests that the order issued October 9, 1953, in this docket, be amended to provide that:

(i) Texas Eastern refund to its customers in Rate Zones C and D the actual difference between the costs of gas purchased from United at Longview, Texas, and Kosciusko, Mississippi, under rates effective prior to August 1, 1954, and on and after August 1, 1954, for the period from August 1, 1954, to the date that the changes in rates proposed by United in its September 30, 1955, filing become effective, under bond, or otherwise.

(ii) Texas Eastern's obligation to reduce its rates in its Rate Zones C and D to reflect the net decrease in the cost of gas purchased from United as a result of the order issued November 2, 1954, in Docket No. G-2019, be modified to substitute the final result on United's proposed increase filed September 30, 1955, as a basis for requiring a rate reduction by Texas Eastern, if the Commission's determination on that filing results in a cost of gas purchased by Texas Eastern from United which is less than the cost of gas under United's rate schedule in effect prior to August 1, 1954.

The Commission finds:

(1) It is reasonable and in the public interest to enter upon a hearing concerning the proposed amendment and modification of the order issued October 9, 1953, in this docket, as requested by Texas Eastern in its petition filed October 14, 1955.

(2) Good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the authority conferred upon the Commission by the Natural Gas Act, including particularly sections 4, 15 and 16 thereof, a public hearing be held commencing on November 2, 1955, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the petition filed by Texas Eastern in this docket on October 14, 1955.

(B) On or before October 28, 1955, Texas Eastern shall submit in support of its petition herein, to each of its customers and to each of the intervenors in this docket, and to the staff, a cost of service study for the most recently available 12-month period.

(C) Interested State Commissions and all other parties heretofore granted intervention in this docket may participate in such hearing.

Adopted: October 19, 1955.

Issued. October 21, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-8678; Filed, Oct. 26, 1955; 8:48 a. m.]

[Docket No. G-2017]

TEXAS GAS TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING ON PETITION TO AMEND PRIOR ORDER

Texas Gas Transmission Corporation (Texas Gas) on October 14, 1955, filed a petition requesting the Commission to amend its order issued August 7, 1953, in the above-entitled proceeding. By such petition Texas Gas seeks to be relieved of the obligation to reduce its rates insofar as such obligation relates to the proceedings of United Gas Pipe Line Company (United) in Docket Nos. G-1142 and G-2019, in accordance with "Article III of the Proposed Settlement" agreed to by all the parties to the above proceeding, and accepted by the Commission in Opinion No. 260 as a just and reasonable basis for settlement of such proceedings, and as provided by paragraph (F) of the order accompanying that opinion.

By its petition filed herein on October 14, 1955, Texas Gas requests that the order issued August 7, 1953, in this docket be amended to provide that:

(i) Texas Gas file rates to become effective upon the same date that the changes in rates proposed by United in its September 30, 1955, filing become effective, under bond or otherwise, whereby Texas Gas would reduce the commodity charges in its presently effective rates by 0.06 cent per Mcf in Zones 1 and 2 and by 0.11 cent per Mcf in Zones 3 and 4 (in lieu of the reductions of 0.49 cent per Mcf and 0.54 cent per Mcf, respectively, that would be required absent United's filing of September 30, 1955)

(ii) Texas Gas refund and file changes in its rate schedules as may be required as a result of Commission final order directed to United's proposed increased rates filed September 30, 1955;

(iii) Texas Gas will not be relieved of its obligation to make the refunds received from United as a result of the Commission's order in Docket Nos. G-1142 and G-2019, for the period January 8, 1953, through July 31, 1954, upon final disposition of that order after court review, if any;

(iv) Texas Gas will not be relieved of its obligation to refund to its customers amounts representing the equivalent of the reduction in rates required by Paragraph (F) of the order issued August 7, 1953, in this docket for the period beginning August 1, 1954, and ending upon the day on which the rates referred to in (i) above become effective.

Texas Gas further states that upon issuance by the Commission of an order amending the order issued August 7, 1953, in this docket, as requested in its petition, it would take the necessary steps to withdraw its application for a general rate increase filed with the Commission on October 7, 1955, based principally on United's filing of September 30, 1955.

The Commission finds:

(1) It is reasonable and in the public interest to enter upon a hearing concerning the proposed amendment to our Opinion No. 260 and accompanying order issued August 7, 1953, requested by Texas Gas in its petition filed October 14, 1955.

(2) Good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the authority conferred upon the Commission by the Natural Gas Act, including particularly sections 4, 15 and 16 thereof, a public hearing be held commencing on November 1, 1955, at 10:00 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the petition filed by Texas Gas in this docket on October 14, 1955.

(B) Interested State Commissions and all other parties heretofore granted intervention in this docket may participate in such hearing.

Adopted: October 19, 1955.

Issued: October 21, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-8679; Filed, Oct. 26, 1955; 8:48 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 74]

PENNSYLVANIA

DECLARATION OF DISASTER AREA

Whereas it has been reported that beginning on or about October 15, 1955, because of the disastrous effects of flood, damage resulted to residences and business property located in certain areas in the State of Pennsylvania, and

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected; and

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of Section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Office below indicated from persons or firms whose property situated in the following counties (including any areas adjacent to the counties below named) suffered damage or other destruction as a result of the catastrophe above referred to:

Counties of: Luzerne and Lackawanna.

Small Business Administration Regional Office, Jefferson Building, Room 118, 1015 Chestnut Street, Philadelphia 7, Pennsylvania.

2. A special field office has been established at Chamber of Commerce, Scranton, Pennsylvania, to receive and process such applications.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to April 30, 1956.

Dated: October 20, 1955.

WENDELL B. BARNES,
Administrator

[F. R. Doc. 55-8688; Filed, Oct. 25, 1955; 1:04 p. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 24, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 31231. *Mung beans to points in Official Territory.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on Mung beans, carloads from Chicago, Peoria, and East St. Louis, Ill., and other named gateways on traffic originating at points in Texas to points in official territory east of the Illinois-Indiana State line.

Grounds for relief: Market competition and circuity.

Tariffs: Supplement 69 to Agent Hinsch's I. C. C. 4403; Supplement 22 to Agent Hinsch's I. C. C. 4499.

FSA No. 31232: *Rubber tires and parts—Alabama to New Jersey points.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on rubber tires and parts, carloads from specified points in Alabama and Memphis, Tenn., to Mahwah, and Teterboro, N. J.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 146 to Agent Spaninger's I. C. C. 1324.

FSA No. 31233: *Hides—Southern points to South Paris, Maine.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on hides, pelts or skins, carloads from specified points in Alabama, Florida, Georgia, Tennessee, also Helena, Ark., to South Paris, Maine.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 148 to Agent Spaninger's I. C. C. 1324.

FSA No. 31234: *Hides—Alabama and Florida to Eastern points.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on hides, pelts, or skins, carloads from Bell Factory, Ala., and Carrol, Fla., to Belleville, N. J., Peabody, Mass., and Penacook, N. H.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 146 to Agent Spaninger's I. C. C. 1324.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55-8324; Filed, Oct. 26, 1955; 8:50 a. m.]